Remarks/Arguments

Applicant thanks the Examiner for careful consideration of the application.

Applicant amends claims 1-2, 13, 19-21, 24-25, 31-32, 34, 37, 39, 43-45, and 48-50 to clarify the invention defined thereby. Applicant asserts no new matter has been introduced with these amendments. Support for these amendments can be found at least in paragraphs 23 and 28.

I. Allowable subject matter:

Examiner has again objected to claim 28 as being dependent upon a rejected base claim; however, claim 28 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. While Applicant agrees with Examiner's conclusions regarding patentability without necessarily agreeing with or acquiescing in the Examiner's reasoning. In particular, Applicant submits that the above identified claims are allowable because the prior art fails to teach, anticipate, or render obvious the invention as claimed independent of how the invention is paraphrased.

II. Rejections under 35 U.S.C. § 103:

Examiner has rejected claims 1-3, 5-6, 8-13, 15-18, 26, 29-31, 39, and 41-42 under 35 U.S.C. §103(a) as being unpatentable over Coulman (U.S. Patent No. 6,045,215, "Coulman") in view of Lehmann et al. (U.S. Patent No. 3,860,541, "Lehmann"). This rejection is respectfully traversed with regards to claims 1-3, 5-6, 8-13, 15-18, 26, 29-31, 39, and 41-42 since neither Coulman nor Lehmann taken either individually, or in combination therewith, renders Applicant's claimed invention obvious under 35 U.S.C. §103(a).

Examiner has also rejected claim 27 as being unpatentable over Coulman (U.S. Patent No. 6,045,215, "Coulman") in view of Lehmann et al. (U.S. Patent No. 3,860,541, "Lehmann") and further in view of Petrie (U.S. Patent No. 4,120,913). This

rejection is respectfully traversed with regards to claim 27 since neither Coulman, Lehmann, nor Petrie taken either individually, or in combination therewith, renders Applicant's claimed invention obvious under 35 U.S.C. §103(a).

Examiner has also rejected claims 4 and 40 as being unpatentable over Coulman (U.S. Patent No. 6,045,215, "Coulman") in view of Lehmann et al. (U.S. Patent No. 3,860,541, "Lehmann") and further in view of Silverbrook (U.S. Patent No. 6,019,457). This rejection is respectfully traversed with regards to claims 4 and 40 since neither Coulman, Lehmann, nor Silverbrook taken either individually, or in combination therewith, renders Applicant's claimed invention obvious under 35 U.S.C. §103(a).

Examiner has also rejected claim 14 as being unpatentable over Coulman (U.S. Patent No. 6,045,215, "Coulman") in view of Lehmann et al. (U.S. Patent No. 3,860,541, "Lehmann") and further in view of Boyd (U.S. Patent No. 3,874493). This rejection is respectfully traversed with regards to claim 14 since neither Coulman, Lehmann, nor Boyd taken either individually, or in combination therewith, renders Applicant's claimed invention obvious under 35 U.S.C. §103(a).

Examiner has also rejected claims 19-21 and 24-25 as being unpatentable over Coulman (U.S. Patent No. 6,045,215, "Coulman") in view of Lehmann et al. (U.S. Patent No. 3,860,541, "Lehmann") and further in view of Feinn (U.S. Patent No. 6,325,491). This rejection is respectfully traversed with regards to claims 19-21 and 24-25 since neither Coulman, Lehmann, nor Feinn taken either individually, or in combination therewith, renders Applicant's claimed invention obvious under 35 U.S.C. §103(a).

Examiner has also rejected claims 22-23 as being unpatentable over Coulman (U.S. Patent No. 6,045,215, "Coulman") in view of Lehmann et al. (U.S. Patent No. 3,860,541, "Lehmann") and in view of Feinn (U.S. Patent No. 6,325,491) and further in view of Childers (U.S. Patent No. 6,130,695). This rejection is respectfully traversed with regards to claims 22-23 since neither Coulman, Lehmann, Feinn, nor Childers

taken either individually, or in combination therewith, renders Applicant's claimed invention obvious under 35 U.S.C. §103(a).

Examiner has also rejected claims 32-23 and 37-38 as being unpatentable over Coulman (U.S. Patent No. 6,045,215, "Coulman") in view of Lehmann et al. (U.S. Patent No. 3,860,541, "Lehmann") and further in view of Goel (U.S. Patent No. 4,728,284). This rejection is respectfully traversed with regards to claims 32-23 and 37-38 since neither Coulman, Lehmann, nor Goel taken either individually, or in combination therewith, renders Applicant's claimed invention obvious under 35 U.S.C. §103(a).

Examiner has also rejected claims 34-36 as being unpatentable over Coulman (U.S. Patent No. 6,045,215, "Coulman") in view of Lehmann et al. (U.S. Patent No. 3,860,541, "Lehmann") and further in view of Chapman (U.S. Patent No. 5,013,383). This rejection is respectfully traversed with regards to claims 34-36 since neither Coulman, Lehmann, nor Chapman taken either individually, or in combination therewith, renders Applicant's claimed invention obvious under 35 U.S.C. §103(a).

Examiner has also rejected claim 7 as being unpatentable over Coulman (U.S. Patent No. 6,045,215, "Coulman") in view of Lehmann et al. (U.S. Patent No. 3,860,541, "Lehmann") and further in view of Baker (U.S. Patent No. 6,299,272). This rejection is respectfully traversed with regards to claim 7 since neither Coulman, Lehmann, nor Baker taken either individually, or in combination therewith, renders Applicant's claimed invention obvious under 35 U.S.C. §103(a).

Applicant traverses all of Examiner's rejections since Lehmann does not expressly disclose a solid cylcoaliphatic amine curing agent as claimed in independent claims 1, 39, and 43. Applicant asserts Lehmann only discloses the use of a cylcoaliphatic amine. Nevertheless, to expedite the issuance of a patent, and to more particularly point out and distinctly claim aspects of the invention that Applicant would like to patent at this time, Applicant has amended independent claims 1, 39, and 43 to include the limitation "a viscous liquid one-part epoxy adhesive." In particular,

Applicant asserts Lehmann discloses both powder and granular one part epoxy adhesives formed from a pulverulent material. *See*, Col. 3, lines 18-26. Applicant has been unable to find anywhere within Lehmann a disclosure of a viscous liquid one-part epoxy adhesive. Thus, Applicant asserts all of the above rejections are rendered moot since none of the prior art references cited include all of the claim limitations found in amended independent claims 1, 39, and 43. Accordingly, Applicant asserts the rejection of claims 1-27 and 29-42 has been overcome. Therefore, Applicant respectfully requests Examiner withdraw the rejection of claims 1-27 and 29-42.

III. Double Patenting:

On page 11 of the Office Action, Examiner has rejected claims 1-42 on the ground of nonstatutory obviousness-type double patenting as being unpatentable over the claims of U.S. Patent No.7,063,413 in view of Takago (U.S. Patent No. 4,291,114. However, on page 2 of the Office Action, Examiner clearly states "[a]ll of the double patenting 35 U.S.C. 112, 102, and [sic] 103 rejections set forth in the non-final rejection of 1/15/2008 . . . are withdrawn." Since this rejection appears to be repeated from the Office Action of 1/15/2008, Applicant for purposes of this response will assume the inclusion of the double patenting rejection is in error. If Applicant's assumption is incorrect Applicant continues to assert Examiner's double patenting rejection is improper on the grounds set forth in Applicant's previous two responses.

Applicant would like to draw Examiner's attention to MPEP §707.02, entitled "Applications up for Third Action and 5-Year Applications," which states "the supervisory patent examiners should impress their assistants with the fact that the shortest path to the final disposition of an application is by finding the best references on the first search and carefully applying them. The supervisory patent examiners are expected to personally check on the pendency of every application which is up for the third or subsequent Office action with a view to finally concluding its prosecution." Applicant notes this is the third non-final Office Action on the merits. Applicant respectfully requests if this response does not result in either a Final Action or a Notice of Allowance that Examiner bring this case to the attention of the Supervisory Patent Examiner in order that prosecution on this case be concluded in the next Office Action.

Therefore, in view of the foregoing Amendment and Remarks, Applicant believes the present application to be in a condition suitable for allowance. Examiner is respectfully urged to withdraw the rejections, reconsider the present Application in light of the foregoing Amendment, and pass the amended Application to allowance.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would help to clarify any issues remaining in the application to more quickly advance prosecution of the present application.

Favorable action by the Examiner is solicited.

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